



# Public Notice

**Applicant:**  
John F. Kukucz

**Date:**  
**Published:** November 24, 2003  
**Expires:** December 23, 2003

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-TD-R RE: 2003-02095(1) Section: OH 10 and 404**

Application for Permit under Authority of  
Section 10 of the Rivers and Harbors Act of 1899 and  
Section 404 of the Clean Water Act (33 U.S.C. 1344).

The applicant, Mr. John Kukucz, 4190 Menlo Park Lane, Vermilion, Ohio, 44089, has applied for Department of the Army authorization to construct an L-shaped, reinforced concrete pier in Lake Erie, located at his Menlo Park Lane address, in Lorain County, Ohio.

The project includes the construction of an 8-foot wide by approximately 15.4-foot long base aligned in a north-south orientation and an 8-foot wide by approximately 15.2 foot long east-west leg. This solid structure will have a top elevation of 574.5 feet and will be connected to the previously authorized platform and bank stabilization by an 8-foot wide by approximately 5-foot long concrete ramp (refer to action 0 of this file, in which Nationwide Permit Nos. 13 and 18 were affirmed). Approximately 45 cubic yards of concrete will be placed below the ordinary high water elevation of 573.4 feet International Great Lakes Datum (IGLD) 1985.

The applicant's stated purpose is to provide a base for swimming access and personal watercraft.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Elizabeth W. Stone, who can be contacted by calling (716) 879-4363, or by e-mail at: [elizabeth.w.stone@usace.army.mil](mailto:elizabeth.w.stone@usace.army.mil)

The applicant has certified that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. Steven Holland  
Ohio Department of Natural Resources  
Consistency Coordinator  
Office of Coastal Management  
105 West Shoreline Drive  
Sandusky, Ohio 44870  
Telephone (419) 626-7980  
FAX (419) 626-7983

e-mail: Steven.Holland@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Elizabeth W. Stone, or by e-mail at: elizabeth.w.stone@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.


Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

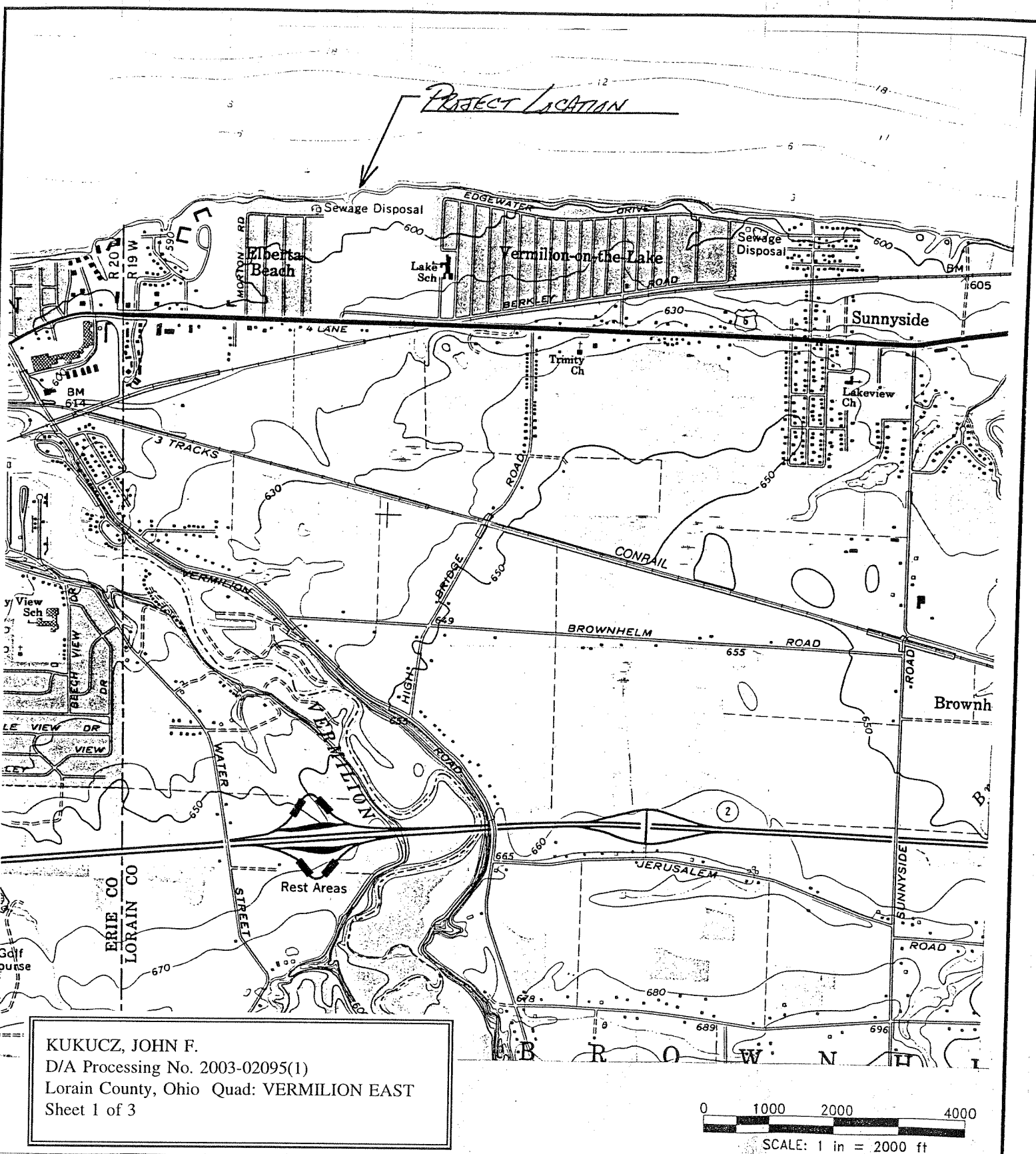
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

  
Thomas C. Switala  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



KUKUCZ, JOHN F.  
D/A Processing No. 2003-02095(1)  
Lorain County, Ohio Quad: VERMILION EAST  
Sheet 1 of 3

PREPARED BY:  
**Andrassy Engineering, Ltd.**

ADJACENT PROPERTY OWNERS:  
Walter S. Bates III  
200 Menlo Park Lane, Vermilion OH 44089  
Donald T. Zaleski  
180 Menlo Park Lane, Vermilion OH 44089

LOCATION MAP

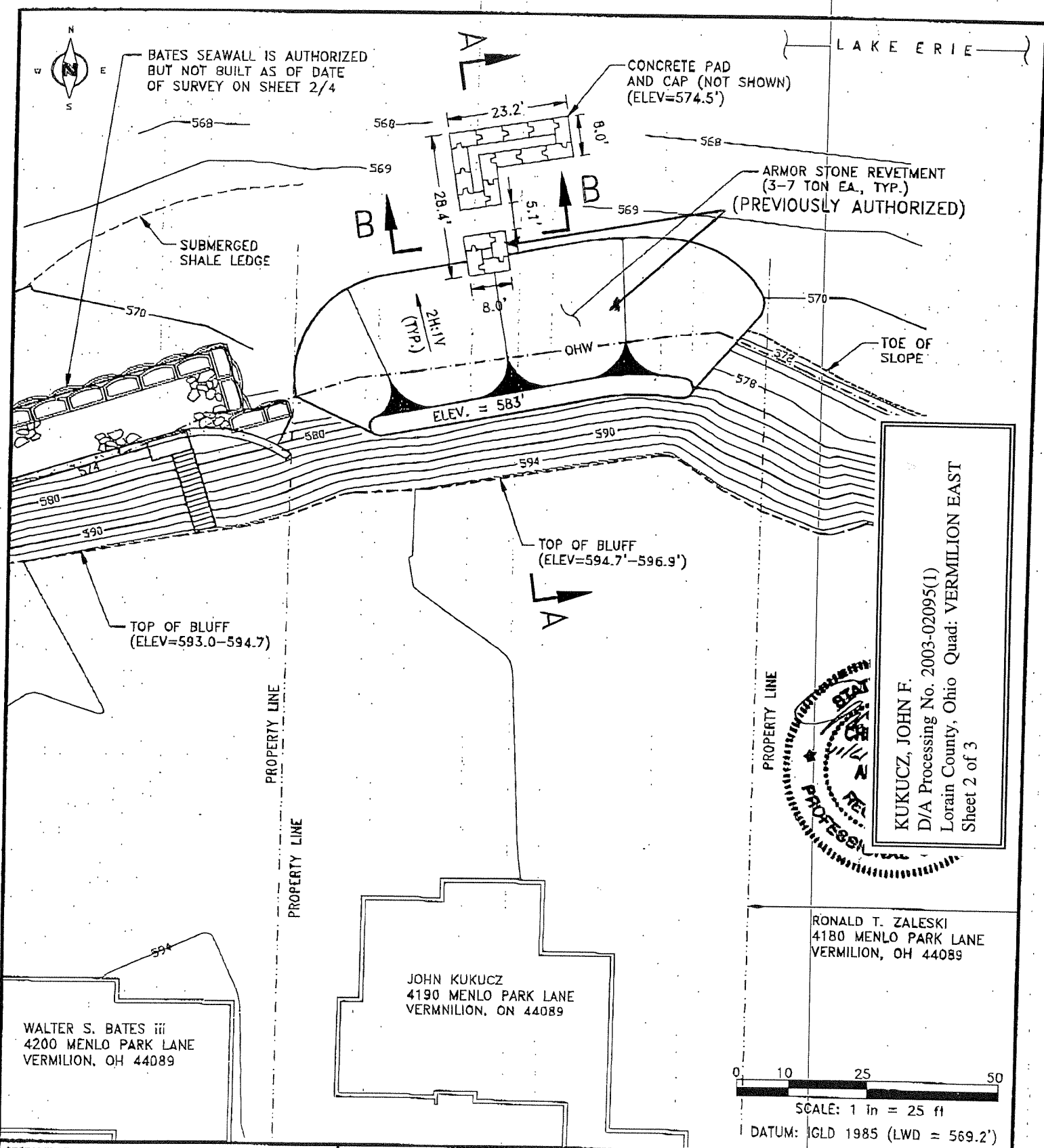
ARMOR STONE REVETMENT  
VERMILION, OHIO

APPLICANT:

JOHN F. KUKUCZ  
4190 MENLO PARK LANE  
VERMILION, OH 44089

SHEET

8/1/03



**PREPARED BY:**  
**Andrassy Engineering, Ltd.**

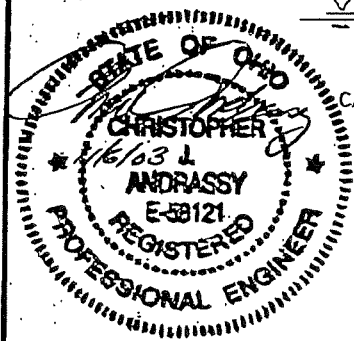
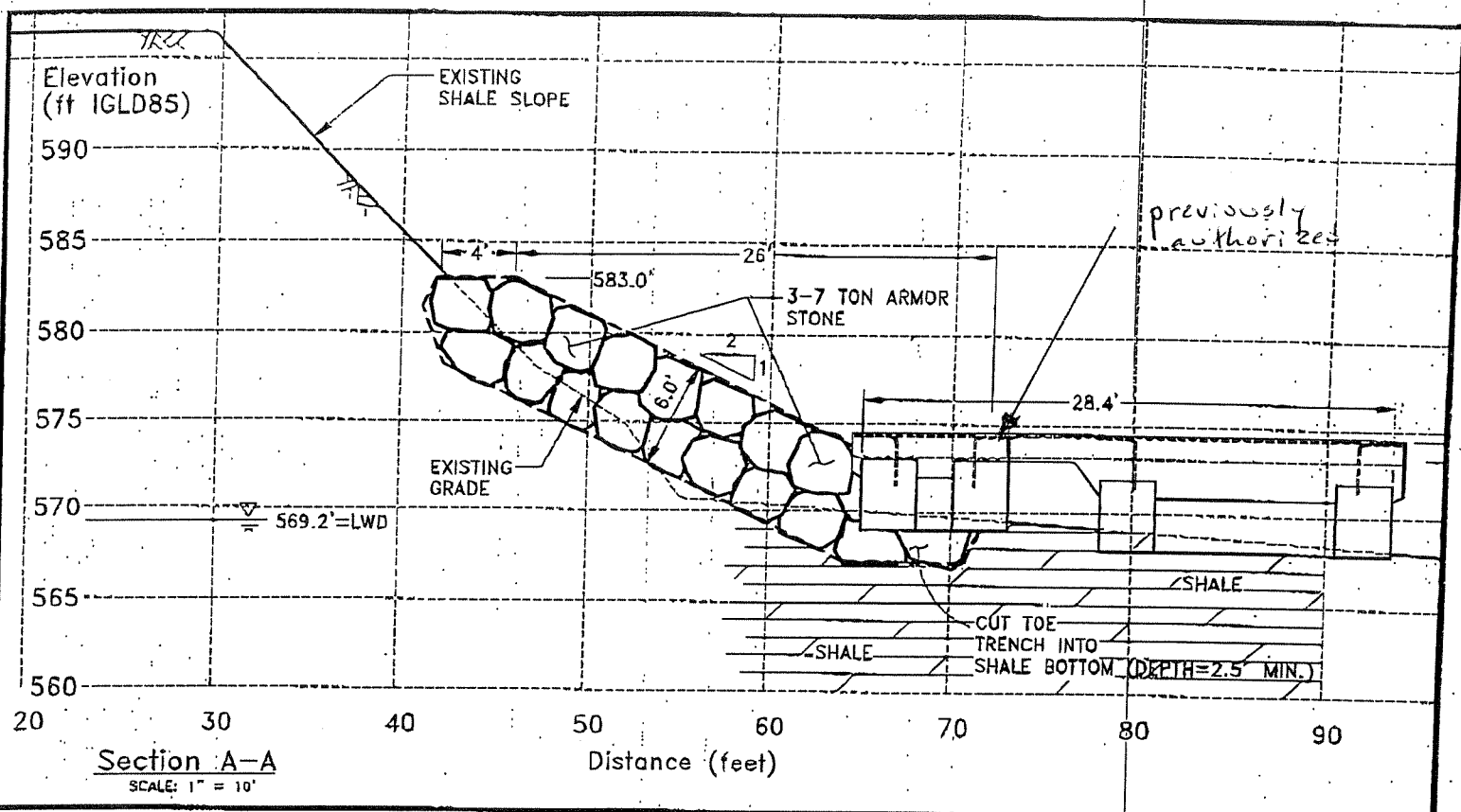
**ADJACENT PROPERTY OWNERS:**  
Walter S. Bates III  
4200 Menlo Park Lane, Vermilion OH 44089  
Ronald T. Zaleski  
4180 Menlo Park Lane, Vermilion OH 44089

**PROPOSED SITE PLAN**

**ARMOR STONE REVETMENT  
VERMILION, OHIO**

**APPLICANT:**  
JOHN F. KUKUCZ  
4190 MENLO PARK LANE  
VERMILION, OH 44089  
REVISED 8/29/03, 11/06/03

**SHEET** 8/1/03



#### Notes

1. Concrete: Use min. 4000 psi 28-day compressive strength concrete for concrete blocks and all exposed cast in place concrete; provide 4-6% air entrainment to concrete mix.
2. Reinforcement: use 50 ksi deformed bars for all reinforcement; provide 2" cover for all bars.
3. Adjust cap thickness to provide required elevation; Concrete cap reinforcement may be adjusted from that shown to provide 0.0020 ratio of steel to gross concrete area, both directions, max. spacing = 18".
4. Armor Stone: Place smaller stones (3-4 ton) at inner layer; place remaining larger stones in distribution at outer layer; place largest stones (6-7 ton) at toe trench.

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#### SECTIONS

ARMOR STONE REVE  
VERMILION, OH

APPLICANT:

KUKUCZ, JOHN F.  
D/A Processing No. 2003-02095(1)  
Lorain County, Ohio Quad: VERMILION EAST  
Sheet 3 of 3

#### Section B-B

SCALE: 1" = 4'